

Remarks

Claim 1 has been amended, and new claims 42-61 have been added. The allowance of claims 21, 22 and 24-41, and the allowability of claims 14-20, are hereby noted with appreciation. Re-examination and reconsideration of the application, in view of the amendments above and the remarks below, are respectfully requested.

Claim 1 was rejected along with dependent claims 3-13 as being anticipated under 35 U.S.C. §102(b) by Blauer et al., U.S. Patent No. 5,588,154 (Blauer). Claims 14-20 were objected to as being dependent upon a rejected claim, but were indicated as being allowable if rewritten in independent form. Applicant respectfully traverses the rejections and objections, as Blauer does not disclose or suggest the invention as recited in independent claim 1 as amended, nor in any of the dependent claims. As amended, claim 1 recites a structure having first and second opposite, reflective sides and first and second ends. The claimed structure is adapted to be inserted into a pocket of clothing worn by a user, and is further adapted to reflect light no matter which side or which end protrudes from the pocket. The Examiner previously acknowledged on page 4 of the Office Action that this feature, which allows the structure to be inserted into a pocket without regard to which side or which end protrudes out from the pocket, is allowable over Blauer and the rest of the cited prior art.

More particularly, Blauer is directed to a uniform having deployable display panels. As shown in Figs. 3 and 4 of Blauer, a cloth, reflective panel 48 of the uniform includes a microcatch strip 50. The microcatch strip 50 of the panel 48 must be aligned by a wearer so as to attach to a corresponding microcatch strip 46 located on the inside of a

pocket 40. Of note, the microcatch strip 50 of the panel is located on only one end of one side of the panel 48. Consequently, a wearer of the Blauer uniform must take time to make sure that the particular side of the panel 48 having the microcatch strip 50 is oriented in such a manner as to mate with the corresponding microcatch strip 46 of the pocket 40. The need for orienting the Blauer panel 48 contrasts the carefree feature of Applicant's device that allows display without regard to involved manipulation that could distract emergency personnel and other users during deployment and that encourages the formation of habitual use.

Thus, the panel 48 of Blauer cannot reflect light no matter which side or which end protrudes from the pocket of clothing worn by a user. Consequently, Blauer fails to teach each and every element of claim 1, as well as of claims 3-20 that depend therefrom. Therefore, reconsideration and withdrawal of the §102(b) rejections are respectfully requested.

New independent claim 42 generally recites a semi-rigid structure having first and second opposite reflective sides and first and second opposite ends, that is adapted to be inserted into a pocket of clothing worn by a user. The semi-rigid nature of the claimed structure allows that portion of the reflector device that protrudes from the pocket of a wearer to maintain its molded shape for optimized display. Moreover, the semi-rigid nature of Applicant's device contrasts the flimsy nature of the cloth material of the Blauer panel 48. The Blauer panel 48 must be completely pliable in order to be "folded" and "draped over" as described at column 3, lines 53-57 and as shown in Figs. 3 and 4 of Blauer. Furthermore, there is no teaching present in Blauer that the cloth panel 48 is reflective on

both sides. There is certainly no suggestion that both sides of the panel 48 are reflective based on the fact that only one side of the panel 48 is positionable for display in connection with the uniform. Consequently, Blauer and the cited art have no need for, and do not disclose or suggest a semi-rigid structure that has first and second reflective sides and that fits within a pocket. Claim 42 is therefore novel and unobvious over Blauer and the cited art, and its allowance is respectfully requested. It is respectfully submitted that new claims 43-61, all of which depend from claim 42, are allowable for at least the same reasons as claim 42, as well as others.

Applicant therefore submits that all pending claims are patentable over the prior art of record, and reconsideration and allowance of all pending claims are accordingly requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at 513-241-2324. Moreover, if there are any charges or credits that are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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